**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 167 of 2005 (M/B)**

1. Vijendra Singh S/o Raja Ram, R/o Landhoura, Tehsil Roorkee, Distt. Hardwar, delegate/ representative, District Co-operative Bank Ltd., Haridwar

2. Surendra Singh S/o Shyam Singh R/o Paniyala, Tehsil Roorkee, Distt. Hardwar, delegate/ Representative, District Co-operative Bank Ltd., Haridwar

..... **Petitioners**

**Versus**

1. State of Uttaranchal through its Secretary, Co-operatives, Dehradun
2. Registrar, Co-operative Societies, Uttaranchal, Dehradun
3. Deputy Registrar, Co-operative Societies, Uttaranchal
4. District Co-operative Bank Ltd., Hardwar, through its Secretary

..... **Respondents**

**Coram: Hon'ble Rajeev Gupta, C.J.**
**Hon'ble P.c. Verma, J.**

**Dated: February 06, 2006**

**Per Hon'ble P.C. Verma, J.**

By means of this writ petition, the petitioners have prayed for writ of certiorari quashing the impugned order dated 20.02.2005 and further final publication dated 22.02.2005 (Annexure No.1 to the writ petition).

2. By the impugned order, the delimitation of constituencies to hold the elections of the Central Cooperative Society namely District Cooperative Bank, Hardwar was issued. The writ petition was filed before

the election process started, therefore, the petition was entertained and response was called for. During the pendency of the writ petition, the elections have been held, the Board of Directors have been elected and the Committee of Management has been constituted.

3. Since the elections have been held and now the only academic question left to be decided is regarding the validity of the delimitation. The Uttaranchal Cooperative Societies Rules, 2004, provides for delimitation of the constituencies before the each election after the expiry of the term of the outgoing Committee of Management. We hope and trust that in the next delimitation the grounds raised by the petitioners shall be taken into account so that the error in passing the delimitation order as alleged in the writ petition may not occur. This delimitation of constituencies by impugned order will not subsist for the next election as provided under the Uttaranchal Cooperative Societies Rules, 2004, that before every election the delimitation has to be done. It is made clear that if any member society or any member of the society is aggrieved, he may file an election petition under the Uttaranchal Cooperative Societies Rules, 2004.

4. For the reasons recorded above, we are of the opinion that it is not necessary to decide the writ petition on merit, as no useful purpose shall be served. The writ petition is disposed of accordingly.

**(P.C. Verma, J.)** **(Rajeev Gupta, C.J.)**
**06.02.2006** **06.02.2006**

Rajeev Dang